



March 6, 2017  
RFQ: 17-3

REQUEST FOR QUALIFICATIONS  
TO PROVIDE  
**INDEPENDENT COMPLIANCE MONITORING SERVICES**  
FOR METRO PURPLE LINE EXTENSION PROJECT  
SECTION 1 (WILSHIRE/LA CIENEGA STATION) AND  
SECTION 2 (WILSHIRE/RODEO STATION)

**RFI'S AND ANSWERS**

Below are the submitted questions with responses:

1. There is a conflict clause in the RFQ for pre-existing relationships with either the City or Metro, but the clause goes on to say that the parties may agree to waive conflict. What is the method of waiver for conflicts, and is there a standard or threshold?
  - The City and Metro must both waive the proposer's pre-existing relationship with either party. The City Council and Metro Board of Directors will issue a final decision whether or not to grant such a waiver. Before doing so, the City and Metro would evaluate the nature and extent of the proposer's prior relationship(s).
  
2. The RFQ refers to mitigation monitoring measures contained in the Final Environmental Impact Statement/Report. How do we obtain a copy of the statement/report?
  - Metro provides documents publicly on their website. The final EIS/EIR is located here: <https://www.metro.net/projects/westside/final-eis-eir/>
  
3. How will the "enforcement power to order compliance" (RFQ Page 4) be coordinated to the contractor's agreement and general conditions so the role of the CM is seen as enforceable and legitimate by the contractor?
  - Articles XVI and XVII of the Memorandum of Agreement (RFQ Exhibit A) between the City of Beverly Hills and Metro spells out the CM's authority to enforce permit conditions. Those articles specifically provide the CM with authority to exercise its authority against Metro and its contractors. Metro's and its contractor's right to use the right-of-way within the City of Beverly Hills is predicated on approval of the MOA and the resulting permits issued pursuant to the MOA.

4. For the “monetary fines” and “halt work” (RFQ Page 4) powers enabling the CM to enforce the requirements of the MOA and contractor agreement, what are the expectations for non-compliant monitoring? Will this simply be the weekly reports?
  - The CM will be expected to exercise its authority to issue and track violations for non-compliance, with each violation reported to the City and Metro within 24-hours of the violation and later summarized in a weekly report. The violations may result in monetary fines in accordance with the MOA. With respect to the CM’s authority to halt work, the CM will be expected to exercise this authority in order to gain compliance with the permit conditions.
  
5. For the requirements of “normal daytime hours” or “after hours” work (RFQ Page 4); is this to mean that the CM will have multiple staff available to support staggered working sequences? Since the original agreement may only be 1-year the staffing for normal working hours can be considerably different than multiple shifts and an extended service duration.
  - Yes, the MOA requires a Compliance Monitor to be on site during all hours in which construction work within the scope of the MOA is being performed. It is anticipated that work may require multiple staff to accommodate staggered work shifts.
  
6. For the “procedures” referenced (RFQ Page 4), when will these “procedures” be provided to determine how the CM will/can meet these requirements?
  - The CM will be expected to assist the City to develop procedures required to effectively implement the services contained in the Articles XVI and XVII of the Memorandum of Agreement (RFQ Exhibit A) between the City of Beverly Hills and Metro.
  
7. For the CM’s role in public outreach (RFQ Page 4) can you share an example of some of the presentations that may be required such as; response to phone line issues, noise, traffic concerns, etc.?
  - As part of the City’s team the CM may be asked to participate in Community Outreach events, provide input on presentations and respond to questions from the Community when at the Construction Site. There may be times when the CM will be asked to present or respond to questions at a City Council or Community Outreach meeting. The CM may also be asked to provide reports of compliance activity for the public on the City’s website.
  
8. Are the 5 years of experience on projects (RFQ Page 5) expected to be consecutive or can this be 5 years of work over, as an example, a 6 year duration?
  - The minimum requirement of 5 years of experience is not required to have been consecutive.
  
9. Fees, will the hourly rates and/or lump sum be submitted during the negotiation scheduled in April?
  - Yes, the fees will be required at that time.

10. Will the agreement and general conditions be provided during the RFQ phase so they can be reviewed and any items of concerns addressed/clarified before evaluations are completed?
  - These will be provided during the negotiation period.
  
11. Will the CM integrate to the City's system and/or software for reporting, completing monitoring logs used over the course of the project or will the CM employ their own system and processes?
  - The CM will be expected to assist the City and Metro in developing procedures, forms, logs, etc. required to implement the services contained in the Article XVI of the Memorandum of Agreement (RFQ Exhibit B) between the City of Beverly Hills and Metro. The City does not have a specific system and/or software for reporting and maintaining logs. Proposers are encouraged to include any recommended systems, software, or processes in their proposal for evaluation by the City and Metro.
  
12. For the establishment of the Public Phone Line (MOA Page 25), will this be a recorded line for leaving messages or will this be a telephone line manned 24 hours a day by the CM so immediate response is a viable function? When LACMTA is used does this mean to say that the CM is an agent of LACMTA and will be the party responding within 48-hours?
  - The 24-hour phone line outlined in the MOA is the responsibility of LACMTA; however, complaints received through the phone line may be directed to the CM for resolution. The phone line is staffed by a live person.
  
13. (MOA Page 52) For operations planning, how is "modern equipment equipped with state of the art engine insulation and mufflers" defined in terms of make and model?
  - The City and Metro have not agreed to any particular makes and models at this time. LACMTA's contractor includes this requirement in their workshops and readiness conferences with their individual subcontractors. State of the art insulation and mufflers will generally include the most up-to-date features, including insulation, to attenuate noise.
  
14. (MOA Page 53) "All staging areas enclosed", does this mean fence or warehouse structure?
  - The contractor's construction laydown yards are enclosed by minimum 20 ft. high sound walls.
  
15. (MOA Page 24) What types of "non-conformance actions" will be expected of the monitor?
  - Reference Article XVII of the Memorandum of Agreement between the City of Beverly Hills and Metro. The MOA contains all permit conditions and mitigation measures to which the CM will enforce through its services.

16. (MOA Page 26) What role, if any, will the monitor have in the quarterly public meetings with residents described in the RFQ? Same for the weekly meetings with Saban Theatre.
- As part of the City's team the CM may be asked to participate in quarterly public meetings, provide input on presentations and respond to questions from the Community. The CM may be asked to meet with the Saban on a regularly scheduled basis to assure that all mitigation measures are in place.
17. (MOA Page 29) Will the inspectors provided by the city "Who may be either City staff or Consultant(s)" include the monitor? Is the monitor excluded?
- The MOA refers to the City providing inspectors in this regard for the construction of City facilities. The City has an inspector dedicated to the Metro PLE project, however, the CM may be included in the Inspection Team when appropriate.